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**JAN 04 2008**

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January 4, 2008

**VIA FACSIMILE**  
**(23 Pages Total)**

To: Examiner William D. Cumming  
Group Art Unit No. 2617  
U.S.P.T.O.  
**BOX AF**

Facsimile No.: (571) 273-8300

From: Donald A. DiPaula

Facsimile No.: (703) 761-2375

Re: Enclosed After Final Rejection under 37 C.F.R. § 1.116  
U.S. Patent Application Serial No.: 10/802,834  
Our Reference: YAN.042

Dear Examiner Cumming:

Enclosed is an Amendment under 37 C.F.R. § 1.116 which we request that you enter and which should place the above-referenced case in condition for allowance.

Thank you in advance for your kind consideration on this case.

Very truly yours,

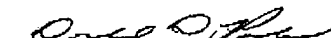


Donald A. DiPaula

DAD/SMM/jr  
Enclosure

**CERTIFICATE OF TRANSMISSION**

I certify that I transmitted via facsimile to (571) 273-8300 the enclosed Amendment under 37 C.F.R. § 1.116 to Examiner William D. Cumming, Art Unit 2617, on January 4, 2008.

  
Donald A. DiPaula  
Registration No. 58,115

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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**JAN 04 2008**

In re Application of:

Shinya HONDO

Serial No.: 10/802,834

Group Art Unit: 2617

Filed: March 18, 2004

Examiner: Cumming, William D.

For: MOBILE COMMUNICATION SYSTEM, RADIO BASE STATION APPARATUS,  
OPERATION CONTROL METHOD THEREFOR AND PROGRAM

Honorable Commissioner of Patents  
Alexandria, VA 22313-1450  
Box AF

**AMENDMENT UNDER 37 C.F.R. §1.116**

Sir:

In response to the Office Action in the above-identified application dated November  
16, 2007, please amend the application as follows: